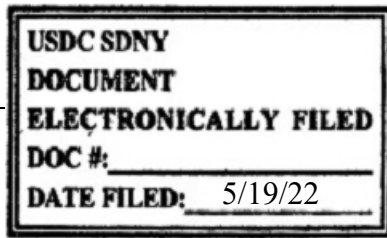




U.S. Department of Justice

United States Attorney
Southern District of New York



86 Chambers Street
New York, New York 10007

May 19, 2022

By ECF

The Honorable Barbara C. Moses
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *Diaz v. Decker, et al.*, No. 22 Civ. 3063 (VSB) (BCM)

Dear Judge Moses:

This Office represents the government in the above-referenced immigration habeas matter. On May 18, 2022, I filed the government's return and response to the petitioner's habeas petition. ECF Nos. 18-21. On May 19, 2022, counsel for the petitioner notified me that she was concerned that the month and date of the petitioner's date of birth and the petitioner's alien number had not been redacted in certain exhibits attached to the government's return. *See* ECF No. 19. She explained that she was concerned because even though immigration dockets are restricted, filings on the docket are accessible to the public through the public portal at the Court. *See* Fed. R. Civ. P. 5.2(c). However, as explained in Federal Rule of Civil Procedure 5.2, immigration dockets are exempted from the redaction requirement. *See* Fed. R. Civ. P. 5.2(c). Nonetheless, I have no objection to making these redactions in this particular case. Accordingly, I alerted the ECF Help Desk, which restricted access to ECF No. 19, and refiled the government's return with redactions of such identifying information as ECF No. 22. Accordingly, I respectfully request that the Court grant the Government permission to maintain ECF No. 19 under seal.

I thank the Court for its consideration of this request.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

/s/ Tara Schwartz
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Application GRANTED in PART. Dkt. No. 19 may remain under seal (while the redacted version at Dkt. No. 22 shall remain publicly available) until petitioner has submitted, and the Court has considered, a written application explaining why the proposed restrictions on access are consistent with *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006), and its progeny. *See* Moses Ind. Prac. § 3. Petitioner shall file that application no later than May 26, 2022. SO ORDERED.

Barbara Moses
United States District Judge
May 19, 2022